

Message Text

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ACTION AF-18

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R 160830Z MAY 74

FM AMCONSUL ZANZIBAR

TO SECSTATE WASHDC 994

INFO AMEMBASSY DAR ES SALAAM

AMEMBASSY NAIROBI

AMEMBASSY LONDON

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E.O. 11652: GDS

TAGS: PINS TZ

SUBJECT: ZANZIBAR TREASON TRIAL VERDICT: PRELIMINARY REPORT

REF: ZANZIBAR 0062 (2/15/74) (NOTAL)

1. ZANZIBAR PEOPLES' COURT ON MAY 15, AFTER OVER THREE MONTHS DELAY SINCE SUBMISSION OF PROSECUTION CASE (REFTEL), HANDED DOWN VERDICTS AFFECTING 71 PERSONS ORIGINALLY CHARGED IN CONNECTION WITH KARUME ASSASSINATION AND RELATED ALLEGED PLOT TO OVERTHROW ZANZIBAR GOVERNMENT.

2. TO RECAP RELEVANT FIGURES, ORIGINAL TOTAL OF THOSE ARRESTED FOLLOWING ASSASSINATION WAS 81. OF THESE, NINE PLEADED GUILTY AND WERE SENTENCED TO DEATH IN MAY 1973 AND REMAIN IN PRISON HERE. ONE ADDITIONAL PRISONER, ABASI AHMED, DIED IN PRISON HERE IN JANUARY AS A RESULT OF WHAT GOZ CALLED "NATURAL CAUSES." OF REMAINING 71, 53 WERE ARRESTED AND HELD IN ZANZIBAR AND 18 ON THE MAINLAND.

3. IN LENGTHY MAY 15 PROCEEDINGS, COURT CHAIRMAN AME MOHAMED SUMMARIZED PROSECUTION TESTIMONY AND SELF-DEFENSE STATEMENTS
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FOR EACH OF DEFENDANTS IN TURN, THEN PRONOUNCED VERDICT ON

EACH. FOLLOWING BRIEF RECESS, THOSE PRESENT WHO HAD BEEN FOUND GUILTY WERE PERMITTED TO ADDRESS THE COURT IN THEIR OWN BEHALF AND TO EXPLAIN ANY MITIGATING CIRCUMSTANCES PRIOR TO SENTENCING, ALTHOUGH IN FACT MANY OF CONVICTED USED THIS OPPORTUNITY ONCE AGAIN TO PROTEST THEIR INNOCENCE.

4. OF ZANZIBAR 53, COURT FOUND 19 NOT GUILTY AND RELEASED THEM, INCLUDING SIX WHICH EARLIER HAD NO CASE ENTERED AGAINST THEM BY PROSECUTION BUT HAD NONETHELESS BEEN HELD THROUGHOUT PROCEEDINGS. FOUR WERE FOUND GUILTY OF MISPRISON OF TREASON. REMAINING 30 WERE JUDGED GUILTY, ALTHOUGH PRESENTATION OF COURT MADE IT EVIDENT THAT WEIGHT AND SEVERITY OF EVIDENCE AGAINST THESE VARIED CONSIDERABLY. PRINCIPAL FIGURE IN LATTER CATEGORY INCLUDED FORMER ZANZIBAR MINISTER ALI SULTAN ISSA.

5. COURT ALSO HANDED DOWN VERDICT ON MAINLAND 18. FOUR WERE ACQUITTED AND ORDERED RELEASED AND ALL OF REMAINING 14 WERE FOUND GUILTY. THIS GROUP INCLUDES COL. ALI MAFOUDH AND FORMER TANGOV MINISTER ABDULRAHMAN BABU.

6. SENTENCING WILL TAKE PLACE SATURDAY MAY 18. COMMENT: SINCE ESSENCE OF GOZ CASE IS ALLEGATION THAT BABU AND OTHERS INCLUDING ALI SULTAN ISSA, BADAWI QUALLATEIN, AND ALI MAFOUDH WERE KEY RINGLEADERS IN ALLEGED PLOT, VERDICT OF GUILTY CAME AS NO SURPRISE, ALTHOUGH TOTAL NUMBER CONVICTED WAS PERHAPS SLITTLY HIGHER THAN MIGHT HAVE BEEN EXPECTED FROM EVIDENCE ADDUCED IN PROSECUTION SUMMARY.
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